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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: RELIGIOUS INTOLERANCE

Letter dated 10 December 2001 from the permanent Representative of Turkey to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Human Rights*

I have the honour to transmit herewith the letter dated 28 November 2001, addressed to you by His Excellency Mr. Tahsin Ertuğruloğlu, Minister of Foreign Affairs and Defence of the Turkish Republic of Northern Cyprus.

I would appreciate it if you would have the text of the enclosed letter circulated as an official document of the fifty-eighth session of the Commission on Human Rights under item 11 (e) of the provisional agenda.

(Signed) Murat SUNGAR
Ambassador
Permanent Representative

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* Reproduced as received, in the language of submission only.

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Annex

TURKISH REPUBLIC OF NORTHERN CYPRUS
MINISTRY OF FOREIGN AFFAIRS AND DEFENCE
(Lefkoşa via Mersin 10 Turkey)

28 November 2001

Madam High Commissioner,

I have the honour to refer to the letter dated 24 July 2001 addressed to you by the Greek Cypriot representative at the United Nations Office in Geneva, which has been circulated as a document of the 58th Session of the Commission on Human Rights under agenda item 11 (e), "Civil and Political Rights, Including the Question of Religious Intolerance" (E/CN.4/2002/12 dated 17 August 2001). In view of the allegations contained in this letter regarding cultural property in the Turkish Republic of Northern Cyprus, I have deemed it necessary to bring to your kind attention the following.

At the outset, I wish to underline that there is no occupation in Cyprus other than the 38 year-old occupation of the seat of government and exploitation of the usurped title of the "Government of Cyprus" by the Greek Cypriots which has been the main obstacle in the way of reaching an agreement between the two sides in Cyprus. The Greek Cypriot representative's claims that the cultural heritage in the North is being destroyed, have already been conclusively refuted by independent foreign observers, including prominent experts from UNESCO, the World Council of Churches and the Council of Europe.

Mrs. Mary Robinson,
High Commissioner,
Commission on Human Rights,
Geneva.

The respected UNESCO expert Mr. Jacques Dalibard denied Greek Cypriot allegations of systematic and organized looting of cultural heritage of Cyprus in a letter he wrote to *The Times* of London and expressed that great efforts had been exerted in North Cyprus for the protection of cultural property.

The former Rapporteur of the Council of Europe, Senator Van Der Werff, in paragraph 5.1 of his report of 2 July 1989 (AS/Cult/AA (41) (1)) indicates that "In the North ... we saw no churches destroyed" and goes on to say that TRNC authorities are taking utter care in protecting the cultural heritage in Northern Cyprus. Furthermore, in paragraphs 5.4 and 5.5, respectively, he reports that "Restoration is going on in both North and South. Greek Orthodox churches seemed to be in sound structural condition in both the North and South" and that "The coordination of conservation, planning, and environment protection seems better assured in the North than in the South".

The current Rapporteur of the Committee on Culture of the Council of Europe, Mrs. Vlasta Stepova, during her visit to the TRNC on 29 October 1999, has stated that the best way to preserve cultural works is to find alternative everyday use for them. She added that no country in the world has the means to turn every cultural building into a museum or to preserve it fully. She was most impressed by the preservation, through everyday use, of the St. Barnabas Monastery and Salamis Ruins in Gazi Mağusa as a museum and as a venue for cultural events, respectively, and praised the use of Bellapais Monastery in Girne as a concert hall.

Returning to the island in November 2000, Mrs. Stepova repeated her predecessor's (Mr. Ymenus Van Der Werff) conclusion that there is no destruction of cultural heritage in North Cyprus. It is no surprise that she was severely attacked by her Greek Cypriot colleagues in the Parliamentary Assembly for stating her observations; a clear case of intolerance towards truth.

The Director of the Czech State Institute for Monuments Care, Mr. Josef Stulc, who accompanied the Rapporteur on her visit, refuted the Greek Cypriot claims of destruction by clearly stating in his Report that "this (Greek Cypriot) interpretation is not confirmed by my visit to the North" (Report No: AS/Cult/AA (2001) 02, dated 22 June 2001).

The Turkish Cypriot Department of Antiquities and Museums has managed to preserve many other churches which are no longer used for religious purposes, including the churches of St. Mamas in Güzelyurt, Archangelos Michael in Girne, Panagia Theotokos in Yeni İskele and St. John of Mara in Maraş. In these churches an important collection of Christian icons are being preserved.

The Turkish Cypriot Government is implementing its policy of protection and preservation of the cultural heritage, fully conscious of the fact that one of the best ways in preserving historic sites is to find alternative everyday use for them.

This policy is in line with the Charter of Venice of May 1964, Article 5 of which states that "the conservation of historic buildings can be achieved through use for any useful communal purpose", and with the Amsterdam Declaration of 1975 which states, *inter alia*, that "... historic buildings can be given new functions related to the needs of contemporary life" (p. 7, para. 3).

The Greek Cypriot administration which attempts to present itself as the champion of the conservation of cultural heritage shows utter contempt and has always tried to eradicate all traces of Turkish-Muslim heritage of Cyprus in particular during the years between 1963 and 1974, in parallel with their ethnic cleansing policy against the Turkish Cypriots. During this tragic period, mosques, shrines and other places of Muslim worship in 103 villages across the island were destroyed.

Today the Greek Cypriot administration is still perpetrating a policy of religious intolerance and showing undisguised contempt towards the Islamic heritage in South Cyprus. The following quotation on this subject taken from the above-mentioned report of Senator Van Der Werff to the Council of Europe (para. 5.3) reveals the extent of the acts of desecration and wilful destruction of Ottoman Turkish architecture in South Cyprus:

"We noted with regret the complete destruction of the main mosque (Büyük Cami) in Paphos. The whole area has since been flattened to give way for a widened road junction and a car park. There is no memorial to the existence of the mosque. Below the road a Turkish bath complex remains hidden in rubble and vegetation awaiting restoration. The Turkish Cypriot cemetery by the nearby St. Sophia Mouttalas mosque is dilapidated".

The list of Greek Cypriot attacks on Turkish-Muslim religious and cultural heritages are not exhaustive. The Günebakan Mosque and the Kutrafa Mosque were destroyed in 1963; the Bayraktar

Mosque was bombed in 1962 and again in 1964 and it sustained a serious arson attack on 17 February 1994. The tomb of Mehmet Buba in Paphos was desecrated in 1964. The 400 year-old Araplar Mosque was attacked with dynamite on 15 March 1994. The Bayraktar and Omeriye Mosques in Southern Nicosia have been repeatedly attacked with bombs and continue to be a frequent target of arsonists and vandals. Historic Ottoman aqueducts have been torn down in order to create space for the construction of coffee shops and public houses. In a more recent example, on 29 August 1999, the door of the Hala Sultan Tekke in Larnaca, which is one of the most sacred Islamic sites in the world, was forced open by Greek Cypriots who poured petrol into the interior and set it ablaze.

Alongside these acts of wanton destruction, Greek Cypriot policy on Turkish-Muslim cultural heritage in South Cyprus is and has been one of calculated neglect. Often they would refuse permission to repair Ottoman buildings in Greek Cypriot areas and, after declaring them unsafe, would demolish them.

Madam High Commissioner, when an icon or a historical artifact originating from the island appears in the international art market, the Greek Cypriots, instead of admitting to their inability to protect the cultural heritage on their part of the island and spending their time and resources to rectify this shortcoming, find it more expedient to falsely accuse the Turkish Cypriot side.

Successive Governments of the Turkish Republic of Northern Cyprus have been conscious of their responsibilities in implementing a policy of protection and preservation of the cultural heritage in North Cyprus. The above-mentioned Van der Werff report, in para. 5.2 testifies to this end: "A considerable effort has been made in the North to place as much as possible in protective custody. We visited several central depots and were shown receipts and inventories. The depots are carefully sealed, and when in military areas require more than one key".

In 1976 and 1977 the Turkish Cypriot authorities handed over to the Greek Orthodox Church hundreds of icons and other items of church property. They were all listed and signed for before being taken to the South by the Greek Cypriots.

It is important to note that, neither the Greek Cypriot Department of Antiquities nor the Greek Cypriot Orthodox Church had complete registers of the cultural property in their custody

before 1974. According to Dr. Andreas Dimitriou, the President of the Greek Cypriot Archaeologists' Association, "Even now in South Cyprus there are very few icons on photographic record" (Greek Cypriot daily published in English, the *Cyprus Mail* of 19 November 1991).

The problem of theft of valuable public property including works of art and antiquities is not only an international problem, but also one which has existed since time immemorial and clearly transcends political disputes. However, while the plundering of antiquities under the control of the Greek Cypriot administration is interpreted by the Greek Cypriots as part of an international problem which, according to them, they are doing their best to contain, the incidents in the Turkish Cypriot side are presented as part of a deliberate programme for plundering Cyprus' cultural heritage. The following is a good example in this regard. During the 1980's the invaluable "Leda and Swan" mosaic was stolen from the Kuklia Museum situated in the Greek Cypriot district of Paphos. In the face of intense local and international criticism the Greek Cypriot minister in charge of the Greek Cypriot Department of Antiquities made the following statement: "Thefts from the museums, even from the very well known museums in the large cities of Europe and USA, do take place all over the world despite draconian measures that are being taken" (the *Cyprus Mail* of 3 January 1981).

Furthermore, on 20 September 1991 the *Cyprus Mail* wrote that "The flow of antiquities from South Cyprus is turning into a scandal", and reported that the Greek Cypriot Director of the Antiquities Department in South Cyprus had amassed a "private collection" of 1600 items which he had exported to Switzerland. On 18 September 1996 the same newspaper reported that "almost 9000 ancient artifacts were exported legally from Southern Cyprus between 1969 and 1991".

The complicity of senior Greek Cypriot officials in the illicit trade in cultural artifacts was the subject of articles appearing in *The New Yorker* on 13 and 20 July 1992.

On 13 January 1999 Dutch antique dealer, Michel Van Rijn, held a press conference in London at which he recounted how he was recruited by the Greek Cypriot authorities. Van Rijn said that in 1988 he was first approached in The Hague, and was asked to organise the theft and smuggling abroad of antiquities from Northern Cyprus. The smuggled items were subsequently purchased and returned to the Greek Cypriot Orthodox Church with large-scale press coverage.

When it became clear to Van Rijn that the aim of the Greek Cypriot authorities was anti-Turkish propaganda, he held a press conference and presented documents to support his claim.

Madam High Commissioner, the Turkish Cypriot side has done and is still doing everything within its rather limited means to preserve the cultural wealth of Northern Cyprus. Turkish Cypriot authorities have been calling upon international bodies responsible for providing financial and technical assistance in the field to extend such assistance to Northern Cyprus with a view to bolstering its efforts towards the preservation of the cultural heritage. The Greek Cypriot side, however, is sparing no effort in preventing these international organisations from extending any assistance to Northern Cyprus, a clear illustration of the insincerity of the Greek Cypriot administration, which on the one hand, complains repeatedly that sufficient care is not being taken and, on the other, does its utmost through embargoes in all spheres of life to prevent Northern Cyprus from obtaining the means to provide such care.

It is evident from the foregoing that the Greek Cypriot side's complaints regarding cultural property have no basis and are utterly unjustified. Since it is the Greek Cypriot side that has systematically attacked, destroyed or treated with utter disrespect cultural and religious monuments, places of worship and other elements of cultural belongings to the Turkish-Muslim heritage of the island, the Greek Cypriot allegations on this issue appear to be an attempt to cover-up their long-standing policy of religious intolerance.

Please accept, Madam High Commissioner, the assurances of my highest consideration.

Tahsin Ertuğruloğlu
Minister of Foreign Affairs
and Defence